

Filed By:

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ATTORNEY FOR ERIC RICHARD PENMAN

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:	§	BANKRUPTCY NO.
	§	
ERIC RICHARD PENMAN	§	22-41130-ELM-13
	§	
DEBTOR	§	CHAPTER 13

**OBJECTION TO TRUSTEE'S PROPOSED MODIFICATION OF
CHAPTER 13 PLAN AFTER CONFIRMATION**

(Relates to DN. 49)

TO THE HONORABLE EDWARD L. MORRIS UNITED STATES BANKRUPTCY JUDGE,

Eric Richard Penman ("Mr. Penman"), files this Objection to the Trustee's Modification of Chapter 13 Plan after Confirmation (the "Modification"), served by Pam Bassel, Standing Chapter 13 Trustee ("Trustee"), and would show:

1.

In response to paragraph 1 of Trustee's Modification, Debtor denies that any excess base should be paid pro-rata to all allowed timely filed general unsecured claims up to 100% unless Trustee can prove the required elements of a modification under § 1329 of the Code and Mr. Penman any other factual allegations in paragraph 1.

2.

Mr. Penman denies the allegations made in paragraph 2 of Trustee's Modification. The Trustee's proposed Modification does not accurately reflect Mr. Penman's current income.

3.

Mr. Penman admits the allegations made in paragraph 3 of Trustee's Modification.

4.

Mr. Penman will file an amended budget and provide Trustee with the supporting documents reflecting his current income.

5.

WHEREFORE, Debtor prays for an order of this Court denying Trustee's Modification and granting Debtor further relief as the Court deems just and proper.

Respectfully submitted,

By: /s/ Mark B. French
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CERTIFICATE OF SERVICE

I, Mark B. French, do hereby certify that a true and correct copy of the above and foregoing Objection to Trustee's Notice of Intention to Stop Paying Secured Creditor was served on the date that the instrument was filed electronically. Service was accomplished electronically and/or by first class mail to the following:

Pam Bassel
Chapter 13 Trustee
7001 Blvd. 26, Suite 150
North Richland Hills, Texas 76180

William T. Neary
United States Trustee
Room 9-C-60
1100 Commerce Street
Dallas, Texas 75242

Eric Richard Penman
3500 Sutter Court
Fort Worth, Texas 76137

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/s/ Mark B. French
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